

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Revision Petition – Revision Petition filed by Sri M.Ram Mohan Rao authorized person M/s Suvarna Agro Farms Private Limited, Hyderabad against the orders of Joint Collector, Ranga Reddy District in proceedings No.E1/378/2008 dt.03.02.2009 regarding land to an extent of Ac.38.00 gts., in Sy.No.24/34, 37, 40, 42, 47 and 48 at Syedguda, Samshabad Mandal – Dismissed - Orders – Issued.

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**REVENUE (ASN.V) DEPARTMENT**

**G.O.MS.No. 1140**

**Dated: 28<sup>th</sup> October, 2009**

**Read the following:**

- 1) Revision Petition of Sri M.Ram Mohan Rao authorized person M/s Suvarna Agro Farms Private Limited, Hyderabad, dt.24-03-2009 received on 07-04-2009.
- 2) From the Collector, Ranga Reddy District Lr.No.E1/378/2008, dt.30-06-2009.

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**ORDER:**

In the reference first read above, Sri M.Ramamohan Rao, authorized person of M/s Suvarna Agro Farms Private Limited filed Revision Petition through his Council before the Hon'ble Minister (Revenue) under Section 4-B of A.P.Act 9/97, against the orders of Joint Collector, Ranga Reddy District issued in proceedings No.E1/378/2008 dt.03.02.2009 regarding land to an extent of Ac.38.00 gts., in Sy.No.24/34, 37, 40, 42, 47 and 48 at Syedguda, Samshabad Mandal under 4-B (3) of the A.P.Assigned Lands (POT) Act, 1977.

2. He has stated that the petitioner Company is the absolute owner and possessor of the land to an extent of Ac.38.00 at Syedguda Village Samshabad Mandal. The Company has purchased the land to an extent of Ac.38.00 gts., from the assignees in Sy.No.24 at Syedguda Village, Samshabad Mandal. The MRO Shamshabad has initiated action under Act, 9/1977 and resumed the land in Government Custody, without conducting proper enquiry. Aggrieved by the above orders the petitioner company has preferred an appeal before the RDO Chevella under 4 A(1) of the Act. The RDO has rejected the appeal. The Petitioner Company has filed revision before the Joint Collector, Ranga Reddy District and Joint Collector, Ranga Reddy District without appreciating the material available on record and without proper perspective has dismissed the revision, as no reason to interfere will the impugned orders passed by the Lower Court. Accordingly, the petitioner company has filed revision before the Government.

3. He has requested the this Hon'ble Court i.e. Government to suspend the orders of the Tahsildar / MRO Shamshabad Mandal, Ranga Reddy District dt.17-03-2006, in Proceedings No.B/651/2005, which was confirmed by the order of the Spl.Grade Dy.Officer and RDO Chevella Division in Appeal No.D/894/2006, dt.07-11-2006 as well as in Case No.E1/378/2008, dt.03-02-2009 on the file of Joint Collector, Ranga Reddy District Hyderabad, pending final disposal of the main revision petition, and pass such other order or orders as this Hon'ble Authority deem fit and proper in the circumstances of the case

(PTO)

4. In the reference second read above, the Collector, Ranga Reddy District has reported that as per Sethwar the land in Sy.No.24 an extent of Ac.264.28 gts., is recorded as Kancha Sarkari. Out of which an extent of Ac.220.00 gts., was assigned to various persons. In the instant case, an extent of Ac.38.00 gts., in Sy.No.24 was assigned in favour of the following (7) persons and in the year 1979-80 the said assignments have been implemented and Warg Kammi has been sanctioned by the Nazim Zamabandi by which the fact of assignment is established.

SL. No.	Sy.No.	Extent Ac.gts.	Name of the Assignee
1	24/34	6.00	Abdul Aziz
2	24/37	8.00	Abdul Khader
3	24/38	6.00	Kavali Laxmaiah
4	24/40	4.00	Kavali Chandraiah
5	24/42	5.00	Lalgani Budd Jangaiah
6	24/47	5.00	E.Laxma Reddy
7	24/49	4.00	Lalgani Ramaiah
	<b>Total</b>	<b>38.00</b>	

5. The said assignees have sold their assigned lands vide Regd. Sale Deeds in favour of the following third parties as under:

SL. No.	Sy.No	Extent Ac.gts.	Name of the Assignee	Name of the purchaser	Regd. Doct. No.
1	24/34	6.00	Abdul Aziz	G.Bhoopal Reddy	1432/1980
2	24/37	8.00	Abdul Khader	P.Vanitha	6912/1982
3	24/38	6.00	Kavali Laxmaiah	G.Bhoopal Reddy	1014/1980
4	24/40	4.00	Kavali Chandraiah	G.Bhoopal Reddy	1015/1980
5	24/42	5.00	Lalgani Budd Jangaiah	G.Bhoopal Reddy	1059/1980
6	24/47	5.00	E.Laxma Reddy	K.Suresh	6337/1990
7	24/49	4.00	Lalgani Ramaiah	G.Bhoopal Reddy	1061/1980
	<b>Total</b>	<b>38.00</b>			

6. The present petitioners herein i.e. M/s Suvarna Agro Farms Pvt. Ltd., Rep. By Kanamaneni Suresh has subsequently purchased the said lands from the above purchasers vide Registered .Doc.Nos.8632/90, 9093/90, 6336/90, 6337/90, total land admeasuring Ac.38.00 gts., in Sy.No.24 of Syedguda Village, Shamshabad Mandal and are in possession by way of Horticulture. Upon enquiry, the then Mandal Revenue Officer, Shamshabad Mandal initiated action under provisions of A.P.Assigned Lands (POT) 1977 Act, and passed orders of resumption vide Prcg.No.B/651/2005, dt.17-03-2006. Aggrieved by the orders of the MRO Shamshabad Mandal the petitioners filed an appeal before the RDO Chevella Division, wherein the RDO has confirmed the orders passed by the MRO Shamshabad Mandal vide Procg.No.D/984/2006, dt.17.11.2006.

7. Aggrieved by the above orders, the petitioners have filed appeal before the Joint Collector, Ranga Reddy District. The JC after perusing the records and written arguments, has observed that as per the Sethwar the land in Sy.No.24, extent of Ac.264.28 gts., is recorded as Kancha Sarkari, out of which an extent of Ac.220.00 gts., was assigned to various persons. The Faisal Patti entries in the year 1979-80 speaks the truth that the land in question has been assigned in the year 1979-80 and as such the contention of the petitioner that the application of A.P.Assigned Lands (POT) 1977 has no scope is totally wrong. Therefore it is proved beyond doubt that the lands in question are Government land and it was assigned to various persons in the year 1979-80 and the assignees have sold away the land through registered sale deed to various persons in contravention of the provisions of A.P.Assigned Lands (POT) 1977. The Joint Collector has dismissed the Revision Petition as there is no reason to interfere with the impugned orders passed by the lower court i.e. RDO Chevella Division, since the petitioner Company has purchased the above said land in contravention of the provisions of Act, IX of 1977.

8. Aggrieved by the above orders, the petitioners filed revision petition before Government on 23-04-2009.

9. Case was called for hearing on 01.08.2009 and again on 22.08.2009. The Counsel for Petitioner Company was present. The Tahsildar, Shamsabad was also present. The Counsel for Petitioner Company has also filed written arguments.

10. The main contentions of the Revision Petitioner (s) herein is that;

- 1) the petitioner is the absolute owner of the subject land and the provision of APAL (POT) Act is not applicable to the subject land.
- 2) That the subject land was allotted (assigned) to the allottees on receipt of market value as evident from the revenue records.
- 3) That the Petitioners' had purchased the lands in 1980 and whose moves were mutated in revenue records as passed and pass books are also issued.
- 4) That the petitioner company after verification of revenue records i.e. Pahani, chesla pahani confirmed that the lands are patta lands and not assigned lands.
- 5) That the petitioner's vendors' means were recorded in the year 1954-55 that there was no record to show that there was prohibition of transfer of subject lands and there is no conditions stipulated in the assignment raid to have been made in favour of original assignees.
- 6) That an extent of Ac.38.00 in Sy.No.24 was assigned to seven assignees by the Government prior to the year 1954 and the said Sy.No. was subdivided and their names were reflected in revenue records by way of mutation.
- 7) Hon'ble High Court in WP No.14860/1989 and Batch dt.19-08-1996 cited in 1996 (4) ALT 325 (DB) held that the scheme of the Act is to prohibit alienation of assigned lands except those on payment of market value because the whole idea of the Act is to make free gift of the lands to the landless poor persons, whereas the lands were

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originally assigned to the assignees as per G.O.Ms.No.1142, dt.01-06-1954 on payment of market value under unavoidable circumstances. From the definition of the assigned land in Section 2(1), it has to be construed that if there is a condition of non-alienation while assigning the lands or the land is assigned under the provisions of the A.P.Land Reforms Ceiling on Agricultural Holdings) Act, 1973 then only it is deemed as assigned land under Act No. IX of 1977. In the case on hand, there is no condition barring alienation of lands. On the other hand the note appended to Condition No.1 of 'D' from patta specifically says that "this condition will not apply to cases of assignment made on collection of market value under para 1 (18) of G.O.Ms.No.1142 of 18-06-1954". By that condition, it is evident that there is no bar for alienation of lands. Therefore, it cannot be said that the lands are assigned lands. When the lands are not assigned lands, the Act No.IX of 1977 has no applicability to the assignments made to the assignees.

11. After perusing the Lower Court records and written arguments submitted by the petitioner Company, it is observed that as per the Sethwar, the land in Sy.No.24 extent Ac.264.28 gts., is recorded as Kancha Sarkari. Out of which an extent of Ac.220.00 gts., was assigned to Land less poor during 1979-80. Out of the lands assigned, the petitioner Company have purchased during 1990 an extent of Ac.38.00 gts., in Sy.No.24/34, 37, 40, 42, 47 and 48 at Syedguda Village, Shamshabad Mandal in contravention of the provision of Section 3(2) of A.P.Assigned Lands (POT) Act, 1977.

12. In the circumstances, I do not find any valid reasons to interfere with the impugned orders passed by the Joint Collector of Ranga Reddy District in Proceedings No.E1/378/2008, dt.03-02-2009. Hence, the Revision Petition is dismissed and the orders passed by the Joint Collector, Ranga Reddy District confirming the orders of RDO Chevella Division and MRO, Shamshabad are confirmed.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**RAJESHWAR TIWARI**  
**SECRETARY TO GOVERNMENT**

To

Sri M/s Suvarna Agro Farms Private Ltd., by its authorized persons Sri Ramamohana Rao Office at 77/A, Journalist Colony, Jubilee hills, Hyderabad

The Collector, Ranga Reddy District

The Tahsildar, Samshabad Mandal

**Copy to:**

Sri. Venkata Rangadas Kanuri, Advocate,  
through the Collector, Ranga Reddy District  
SF/SCs

// FORWARDED BY ORDER //

**SECTION OFFICER**